

UNITED STATES DISTRICT COURT  
for the  
Eastern District of North Carolina

United States of America )  
v. )  
Anthony Glenn Simmons ) Case No: 2:93-CR-8-1H  
 )  
 ) USM No: 14417-056  
Date of Original Judgment: December 21, 1993 )  
Date of Previous Amended Judgment: \_\_\_\_\_ ) Thomas P. McNamara  
(Use Date of Last Amended Judgment if Any) )  
Defendant's Attorney

**ORDER REGARDING MOTION FOR SENTENCE REDUCTION  
PURSUANT TO 18 U.S.C. § 3582(c)(2)**

Upon motion of  the defendant  the Director of the Bureau of Prisons  the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion, and taking into account the policy statement set forth at USSG §1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable,

**IT IS ORDERED** that the motion is:

DENIED.  GRANTED and the defendant's previously imposed sentence of imprisonment (*as reflected in the last judgment issued*) of \_\_\_\_\_ months is reduced to \_\_\_\_\_

While in custody, the defendant escaped and was arrested in New York where he committed additional criminal conduct. He was later convicted of Escape and Possession of a Forged Instrument. Pursuant to the provisions of 18 U.S.C. §§ 3582(c)(2) and 3553(a) and 1B1.10, Application Note 1(B)(ii), the court has considered the nature and seriousness of his continued criminal conduct while incarcerated and has determined that a reduction is not appropriate.

If the amount of time the defendant has already served exceeds this sentence, the sentence is reduced to a "Time Served" sentence, subject to an additional period of up to ten (10) days for administrative purposes of releasing the defendant.

*(Complete Parts I and II of Page 2 when motion is granted)*

Except as otherwise provided, all provisions of the judgment(s) dated December 21, 1993  
shall remain in effect. **IT IS SO ORDERED.**

Order Date: 11/21/11

  
Judge's signature

Effective Date: \_\_\_\_\_  
(if different from order date)

Malcolm J. Howard, Senior U.S. District Judge  
Printed name and title